

TRANSMITTAL LETTER TO THE UNITED STATES
DESIGNATED/ELECTED OFFICE (DO/EO/US)
CONCERNING A FILING UNDER 35 U.S.C. 371

046124-5025

U.S. Application No.

Unassigned

09/555342

Box SEQ

International Application. No.

International Filing Date

Priority Date Claimed

PCT/JP98/05348

27 November 1998

27 November 1997

Title of Invention

HUMAN FETUS CHONDROCYTE-DERIVED GENE

Applicants For DO/EO/US

Yukio KATO, Takeshi KAWAMOTO and Yasuhiko KOYANO

Applicants herewith submit to the United States Designated/Elected Office (DO/EO/US) the following items and other information:

1. ☒ This is a FIRST submission of items concerning a filing under 35 U.S.C. 371.
2. ☐ This is a SECOND or SUBSEQUENT submission of items concerning a filing under 35 U.S.C. 371.
3. ☐ This express request to begin national examination procedures (35 U.S.C. 371(f)) at any time rather than delay examination until the expiration of the applicable time limit set in 35 U.S.C. 371(b) and PCT Articles 22 and 39(1).
4. ☒ A proper Demand for International Preliminary Examination was made by the 19th month from the earliest claimed priority date.
5. ☒ A copy of the International Application as filed (35 U.S.C. 371(c)(2))
 - a. ☐ is transmitted herewith (required only if not transmitted by the International Bureau).
 - b. ☒ has been transmitted by the International Bureau.
 - c. ☐ is not required, as the application was filed in the United States Receiving Office (RO/US).
6. ☐ A translation of the International Application into English (35 U.S.C. 371(c)(2)).
7. ☒ Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3)).
 - a. ☐ are transmitted herewith (required only if not transmitted by the International Bureau).
 - b. ☐ have been transmitted by the International Bureau.
 - c. ☐ have not been made; however, the time limit for making such amendments has NOT expired.
 - d. ☒ have not been made and will not be made.
8. ☐ A translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).
9. ☒ An oath or declaration of the inventors (35 U.S.C. 371(c)(4)).
10. ☐ A translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).

Items 11. to 14. below concern other document(s) or information included:

11. ☐ An Information Disclosure Statement under 37 CFR 1.97 and 1.98.
12. ☒ An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.
13. ☒ A FIRST preliminary amendment.
14. ☐ A SECOND or SUBSEQUENT preliminary amendment.
14. ☒ Other items or information:
 - a. ☒ WIPO Publication WO99/28458 - (first page)
 - b. ☒ PCT/ISA/210
 - c. ☒ PCT/IB/304
 - d. ☒ PCT/IB/308
 - e. ☒ Computer readable copy of Sequence Listing
 - ☒ Paper Copy of Sequence Listing
 - ☒ Statement Accompanying Sequence Listing

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04-5025

15. [X] The following fees are submitted:

Basic National Fee (37 CFR 1.492(a)(1)-(5)):

Search Report has been prepared by the EPO or JPO.....\$840.00

International preliminary examination fee paid to

USPTO (37 CFR 1.482).....\$670.00

No international preliminary examination fee paid to

USPTO (37 CFR 1.482) but international search fee

paid to USPTO (37 CFR 1.445(a)(2)).....\$760.00

Neither international preliminary examination fee

(37 CFR 1.482) nor international search fee

(37 CFR 1.445(a)(2)) paid to USPTO.....\$970.00

International preliminary examination fee paid to USPTO

(37 CFR 1.482) and all claims satisfied provisions

of PCT Article 33(2)-(4).....\$96.00

ENTER APPROPRIATE BASIC FEE AMOUNT =

\$ 840.00

Surcharge of \$130.00 for furnishing the oath or declaration later than

[] 20 [] 30 months from the earliest claimed priority date

(37 CFR 1.492(e)).

\$

Claims	Number Filed	Number Extra	Rate	
Total Claims	44 - 20 =	0	X \$18.00	\$432.00
Independent Claims	5 - 3 =	0	X \$78.00	\$156.00
Multiple dependent claim(s) (if applicable)			+ \$260.00	\$260.00
TOTAL OF ABOVE CALCULATIONS =				\$ 1,688.00

Reduction by 1/2 for filing by small entity, if applicable. Verified

Small Entity statement must also be filed. (Note 37 CFR 1.9, 1.27, 1.28)

-\$

SUBTOTAL =

\$ 1,688.00

Processing fee of \$130.00 for furnishing the English translation later than [] 20 [] 30 months from the earliest claimed priority date

(37 CFR 1.492(f)).

+\$

TOTAL NATIONAL FEE =

\$ 1,688.00

Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet

(37 CFR 3.28, 3.31).

\$40.00 per property

+\$40.00

TOTAL FEES ENCLOSED =

\$ 1728.00

Amount to be

refunded

\$

charged

\$

- a. [] A check in the amount of \$-0- to cover the above fees is enclosed.
- b. [X] Please charge my Deposit Account No. 50-0310 in the amount of \$1,728.00 to cover the above fees. A duplicate copy of this sheet is enclosed.
- c. [X] **Except** for issue fees payable under 37 C.F.R. §1.18, the Commissioner is hereby authorized by this paper to charge any additional fees during the entire pendency of this application including fees due under 37 CFR §1.16 and §1.17 which may be required, or credit any overpayment to Deposit Account No. 50-0310.

Customer No. 009629

SEND ALL CORRESPONDENCE TO:

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Elizabeth C. Weimar

Elizabeth C. Weimar

Reg. No. 44,478

Submitted: May 26, 2000

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:)
Yukio KATO et al.)
U.S. National Phase Application No.: Unassigned) Group Art Unit: Unassigned
Date of National Stage Entry: May 26, 2000) Examiner: Unassigned
International Application No.: PCT/JP98/05348)
International Filing Date: November 27, 1998)
For: HUMAN FETUS CHONDROCYTE-)
DERIVED GENE)

Commissioner for Patents
Washington, D.C. 20231
BOX SEQUENCE

STATEMENT ACCOMPANYING SEQUENCE LISTING

Dear Sir:

The undersigned hereby states upon information and belief that the Sequence Listing submitted concurrently herewith does not include matter which goes beyond the content of the application as filed and that the information recorded on the diskette submitted concurrently herewith is identical to the written Sequence Listing submitted herewith.

Respectfully submitted,

MORGAN, LEWIS & BOCKIUS LLP

Dated: May 26, 2000

By: Elizabeth C. Weimar
Elizabeth C. Weimar

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